

REMARKS

By this Amendment, Applicant adds new claims 17-23 to address other aspects of the present invention. Claims 1, 3-8, 10, 11, and 14-23 are currently pending.

In the Office Action, the Examiner objected to the title of the invention as not descriptive. The Examiner rejected claims 1, 3, 4, 6-8, 10, 14, and 16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,374,112 to Widegren et al. ("Widegren") in view of United Kingdom Patent No. 2311910A to Robinson et al. ("Robinson") and rejected claims 5, 11, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Widegren in view of Robinson and further in view of U.S. Patent No. 6,704,813 to Smirnov et al. ("Smirnov").¹ Applicant respectfully traverses the Examiner's rejections under § 103.

Regarding the Objection

Applicant respectfully traverses the Examiner's to the title of the invention as not descriptive. However, to expedite the prosecution of this application, Applicant has amended the title of the invention to be more descriptive. Accordingly, Applicant respectfully requests withdrawal of the objection to the title of the invention.

Regarding Claim Rejection under 35 U.S.C. § 103

Applicant respectfully traverses the Examiner's rejection of claims 1, 3, 4, 6-8, 10, 14, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Widegren in view of Robinson. In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

teach or suggest all the claim elements. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Third, there must be a reasonable expectation of success. See M.P.E.P. § 2143, emphasis added.

Independent claim 1 recites a combination including, for example, “informing means for informing an operator at the terminal of information transmitted to and received from the first communication entity and the second communication entity over the first and second radio channels simultaneously.” Widegren fails to teach or suggest at least the claim elements listed above as recited in claim 1, as recognized by the Examiner in stating that “Widegren does not specifically disclose a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel.” (Office Action at 3).

Robinson fails to cure Widegren's deficiencies. Robinson teaches “a modular radio communication device, wherein different modules provide access to different radio communication services.” Robinson, page 3, lines 16-18. “Upon receiving of RF signals by the radio communication device 103 . . . processor 111 formats the base band signals into voice, video, or data for use by an user interface. If the second user interface 115 is detached from the portable radio communication unit 103, then the received data is output over the bus 119 to the first user interface 113.” Robinson, page 5, lines 5-15. However, Robinson's teaching of using two separate user interfaces for different types of data (voice, video, or data) does not constitute “informing means for informing an operator at the terminal of information transmitted to and received from the

first communication entity and the second communication entity over the first and second radio channels simultaneously,” as recited in amended claim 1 (emphasis added).

The Examiner alleged that Robinson “teaches a method of informing an operator at the terminal of information transmitted to and receive from the base station over the multiple channels for each radio channel. See Fig. 3 and page 5, lines 21-27.” (Office Action at 3.) Applicants respectfully disagree.

In Fig. 3 and page 5, lines 21-27, Robinson discloses that “the received information can be divided between the first user interface 113 and the second user interface 115. In the preferred embodiment, the second user interface provides higher tier communications including voice with synchronised video and fax data and text reception for display to an end user.” Robinson, Fig. 3, page 5, lines 21-27, emphasis added. However, Robinson does not state that the received information is from two separate communication entities simultaneously. In fact, the received information shown in Fig. 3 is from a single communication entity, such as a television-telephone call. Thus, a mere dividing the information into different levels of tier communications does not constitute “informing means for informing an operator at the terminal of information transmitted to and received from the first communication entity and the second communication entity over the first and second radio channels simultaneously,” as recited by amended claim 1 (emphasis added).

Therefore, neither Widegren nor Robinson, taken alone or in any reasonable combination, teaches or suggests all claim elements recited in claim 1. A *prima facie* case of obviousness has not been established. Accordingly, Applicant respectfully

requests withdrawal of the Section 103 rejection of claim 1. Since claims 3 and 4 depend from claim 1, Applicant also requests withdrawal of the Section 103 rejection of claims 3 and 4 for at least the same reasons stated above.

Independent claims 6, 8, 14, and 16, while of different scope, recite similar language to that of claim 1. Claims 6, 8, 14, and 16 are therefore also allowable for at least the same reasons as stated above with respect to claim 1. Accordingly, Applicant respectfully requests withdrawal of the Section 103 rejection of claims 6, 8, 14, and 16, and claims 7 and 10, which depend from claims 6 and 8, respectively.

Applicant also respectfully traverses the Examiner's rejection of claims 5, 11, and 15 under 35 U.S.C. § 103(a) as unpatentable over Widegren in view of Robinson and Smirnov. Claim 5 depends claim 1. As explained above, Widegren and Robinson fail to teach or suggest at least "informing means for informing an operator at the terminal of information transmitted to and received from the first communication entity and the second communication entity over the first and second radio channels simultaneously," as recited in claims 1 and required by claim 5.

Smirnov fails to cure the deficiencies of Widegren and Robinson. Smirnov discloses a system for storing streaming information. "Streaming information can be received by computer 20 using a number of known methods and technologies. Commonly, a source of streaming information is a remote computer wherein computer 21 is connected to the remote computer using a wired or wireless modem." Smirnov, column 4, lines 51-55. However, Smirnov does not suggest or teach at least "informing means for informing an operator at the terminal of information transmitted to and received from the first communication entity and the second communication entity over

the first and second radio channels simultaneously,” as recited in claim 1 and required by claim 5 (emphasis added).

Therefore, none of Widegren, Robinson, and Smirnov, taken alone or in any reasonable combination, teaches or suggests all claim elements required by claim 5. A *prima facie* case of obviousness has not been established with respect to claims 5. Accordingly, Applicant respectfully requests withdrawal of the Section 103 rejection of claim 5.

Further, claim 11 depends from independent claim 8. Claims 8 and 15, while of different scope, recite similar language to that of claim 1. Claims 8 and 15 are therefore also allowable for at least the same reasons stated above. Claim 11 is thus also allowable for at least the reason as being dependent on an allowable base claim. Accordingly, Applicant respectfully requests withdrawal of the Section 103 rejection of claims 11 and 15.

Regarding Newly Added Claims

Applicant has added claims 17-23 to address other aspects of the present invention. Support for claims 17-23 may be found at, for example, FIGs. 4A-4B, and pages 16-18 of the specification. Claims 17 and 18 depend from allowable claim 1, either directly or indirectly, and claims 19-23 depend from allowable claims 6, 8, 14, 15, and 16, respectively. Applicant respectfully submits that claims 17-23 are neither anticipated nor rendered obvious by the prior art of record.

Conclusion


In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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